

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

UNITED STATES OF AMERICA : Superseding
INDICTMENT

- v. - :

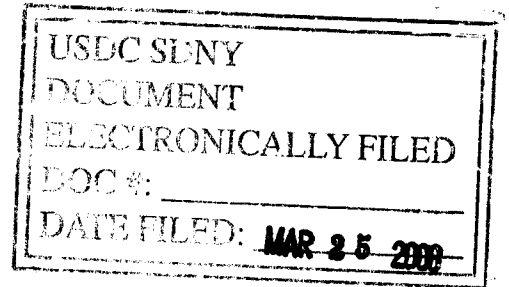
S1 08 Cr. 146 (AKH)

JOSE SOTO-ESPINOZA, and :
JORGE GONZALEZ, :

Defendants. :

- - - - -x

COUNT ONE



(Conspiracy to Commit Money Laundering)

The Grand Jury charges:

1. From in or about March 2007 through in or about October 2007, in the Southern District of New York and elsewhere, JOSE SOTO-ESPINOZA and JORGE GONZALEZ, the defendants, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Section 1956(a)(1)(B)(i).

2. It was a part and an object of the conspiracy that JOSE SOTO-ESPINOZA and JORGE GONZALEZ, the defendants, and others known and unknown, in the United States, in an offense involving and affecting interstate and foreign commerce, knowing that the property involved in certain financial transactions represented the proceeds of some form of unlawful activity, would and did conduct and attempt to conduct such financial transactions, to wit, the transfer of approximately \$90,000.00 in cash to other individuals, which in fact involved the proceeds of specified

unlawful activity, to wit, the proceeds of illegal narcotics transactions, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

Overt Act

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about October 25, 2007, JOSE SOTO-ESPINOZA, the defendant, transferred approximately \$90,000 in narcotics proceeds to JORGE GONZALEZ, the defendant, in New York, New York.

(Title 18, United States Code, Section 1956(h).)

FORFEITURE ALLEGATION

4. As a result of committing the foregoing offense alleged in Count One of this Indictment, the defendants, JOSE SOTO-ESPINOZA and JORGE GONZALEZ, shall forfeit to the United States pursuant to 18 U.S.C. § 982, any property constituting or derived from proceeds obtained directly or indirectly as a result of the money laundering offense(s), including but not limited to the following:

a. All United States currency, totaling at least approximately \$90,000.00, recovered on or about October 25, 2007,

from a bag that the defendants, JOSE SOTO-ESPINOZA and JORGE GONZALEZ, were found in possession of in New York, New York.

Substitute Asset Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

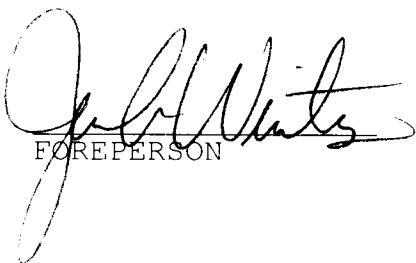
(3) has been placed beyond the jurisdiction of the Court;

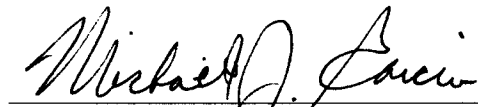
(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 982 and 1956.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

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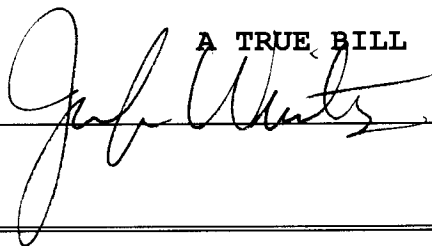
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(18 U.S.C. §§ 1956(h))

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL



Foreperson.
